

REMARKS

Claims 6-11 are currently pending in this application. Claims 6, 10, and 11 are amended. No new matter is presented. The foregoing amendments and following remarks are considered by Applicant to overcome each rejection raised in the Office Action and to place the application in condition for allowance. Accordingly, Applicant requests consideration of claims 6-11.

Claims 6 and 9-11 were rejected under 35 U.S.C. 102(b) as being anticipated by Glaser et al. (U.S. Patent No. 4,202,037). The Examiner takes the position that Glaser teaches or suggests all the elements recited in claims 6, and 9-11. Applicants respectfully disagree.

Amended claim 6 recites an optical observation instrument having at least one detachably mounted eyepiece having an intermediate image plane and a device being arranged in the intermediate image plane for displaying information relating to the adjusted instrument parameters, a current operating state and/or an object to be observed in a visually perceptible manner. No new matter is presented. Specifically, the drawings illustrate an eyepiece that is can be detachable mounted (See Figure 1).

Claims 10 and 11 are amended to recite that the eyepiece are detachably mounted on the microscope and provide an intermediate image plane. The eyepiece is constructed with respect to shape, size, and a fastening means in a same manner which is the same as an eyepiece not having such a device, so that an eyepiece with such a device can be exchanged with an eyepiece without such a device or vice versa on optical observation instruments.

Glaser is directed to a computer that is coupled to a light microscope in a closed-loop feedback system for facilitating total intervention by an operator. A graphics display 19 which is connected to the graphics display produces an image which includes selected data from the computer memory and system commands. These commands are a set of programmed procedures and instructions available to the operator for controlling the computer microscope. A camera or optical beam splitter 20 is incorporated into the microscope and is optically aligned with the graphics display.

Glaser, however, does not teach or suggest at least one detachably mounted eyepiece having an intermediate image plane and a device being arranged in the intermediate image plane for displaying information relating to the adjusted instrument parameters, a current operating state and/or an object to be observed in a visually perceptible manner. Glaser does not provide that the image plane for the information display being detachably mounted.

Furthermore, as recited in claim 10, the eyepiece is constructed with respect to shape, size, and a fastening means in a same manner which is the same as an eyepiece not having such a device, so that said eyepiece can be exchanged with said device on optical observation instruments. Thus, the device can be replaced with the eyepiece or used concurrently. The eyepiece of Glaser is not provided to be detachably mounted (See Figure 1, reference number 12). In the present invention, however, the eyepiece 3 and device 4 are detachably mounted on to the microscope. Thus, Glaser does not teach or suggest arranging the device on the eyepiece, as claimed in the present invention. As illustrated in Figure 1 of Glaser, the eyepiece is not detachably mounted nor is a device for displaying information relating to the adjusted instrument parameters, a current operating state and/or an object to be observed in a visually perceptible manner arranged on the eyepiece.

In addition, the image display of Glaser is not provided in the eyepiece. Glaser discloses a camera lucida or optical beam splitter 20 (drawing tube). Moreover, the image display of Glaser is not positioned in the immediate image plane since the display is positioned in a conjugate plane and this conjugate plane is superimposed to the image of the specimen in the image plane. Therefore, it is submitted that Glaser fails to teach or suggest all the features recited in claims 6, 10, and 11. Accordingly, Applicants request the withdrawal of the rejection of claims 6, 10, and 11 under 35 U.S.C 102(b).

Claim 9 is dependent upon claim 6, therefore, it is submitted that claim 9 for at least the reasons mentioned above recites subject matter that is neither taught nor suggested by Glaser. As a result, Applicants request the withdrawal of the rejection of claim 9 under 35 U.S.C. 102(b).

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser. The Examiner takes the position that the Glaser teaches or suggests all the features recited in claim 7 except the feature of having a LED display or LCD display connected to the control electronics. The Examiner indicates that it would have been obvious to one skilled in the art to have the graphic display as a LED or LCD display to reduce the size of the display and the power consumption. Applicants respectfully traverse the rejection of claim 7.

Claim 7 is dependent upon claim 6, therefore, it is submitted that for at least the reasons mentioned above, claim 7 recites subject matter that is neither taught nor suggested by the applied reference. Accordingly, Applicants request the withdrawal of the rejection of claim 7 under 35 U.S.C. 103(A).

Claim 8 was rejected under a35 U.S.C. 103(a) as being unpatentable over Glaser in view of Sakano (U.S. Patent No. 6,292,214). The Examiner takes the position that the

combination of Glaser and Sakano teach or suggest all the features recited in claim 8. Applicants respectfully disagree.

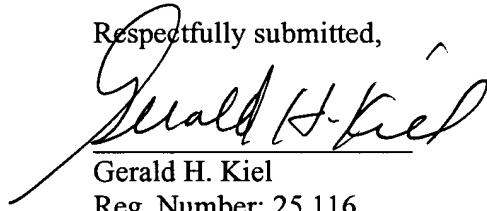
It should be noted that claim 8 is dependent upon claim 6, thus, for at least the reasons mentioned above, the combination of Glaser and Sakano fail to teach or suggest the features recited in claim 6. More specifically, the cited references fail to teach or suggest a device for displaying information relating to the adjusted instrument parameters. A current operating state and/or an object to be observed in a visually perceptible manner are arranged in the intermediate image plane. Therefore, Applicants request the withdrawal of the rejection of claim 8 under 35 U.S.C. 103(a).

In view of the above amendments and remarks, it is respectfully submitted that the claims now clearly recite the patentable features of the present invention. Claim 6 is amended. No new matter is presented. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance is respectfully requested.

Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

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Respectfully submitted,



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